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May 19, 2021

Via ECF

Honorable P. Kevin Castel
United States District Judge
United States Courthouse
500 Pearl Street, Courtroom 11D
New York, NY 10007

Revised schedule adopted. May 24, 2021 conference
adjourned to July 19, 2021 at 12:30 p.m. The conference
will proceed telephonically. Dial-In No.: 1-888-363-4749,
Access Code: 3667981.

SO ORDERED.

Dated: 5/21/2021



P. Kevin Castel
United States District Judge

Re: *Dame Products v. The Metropolitan Transportation Authority, et al.*,
Case No. 19 Civ. 05649 (PKC)

Your Honor:

We represent Plaintiff Dame Products in the above-captioned matter. We write jointly with counsel for Defendants to respectfully request an extension of time from May 21, 2021 to June 11, 2021 for the parties to file pre-motion letters in anticipation of moving for summary judgment; an extension of time from June 11, 2021 to July 2, 2021 for the parties to complete expert discovery; and an adjournment of the May 24, 2021 Court conference (*see* Dkt. No. 55) until on or after June 14, 2021. Three previous request for an extension of the pre-motion letter deadline were made and granted. *See* Dkt. Nos. 53, 55, 57. Four previous requests for an extension of the expert discovery deadline were made and granted. *See* Dkt. Nos. 38-39, 40, 42, 55, 57. This is the party's first request for an adjournment of the May 24, 2021 conference.

The parties request these extensions because of their ongoing substantive settlement discussions, which have continued to progress and have yielded a number of agreed-upon settlement terms and conditions. Given the status of continued negotiations and the fact that the parties are hopeful they are close to a settlement in principle, the parties continue to believe it is preferable to devote resources to settlement conversations than to expend them on expert discovery or summary judgment pre-motion papers. As for the May 24, 2021 Court conference, the parties agree that there is no need for court intervention at this time, and that it would be more productive to conduct a status conference after additional settlement discussions have transpired.

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For the foregoing reasons, the parties respectfully request that the Court extend the deadline to file pre-motion letters in anticipation of moving for summary judgment from May 21, 2021 to June 11, 2021; the deadline to complete expert discovery from June 11, 2021 to July 2, 2021; and an adjournment of the May 24, 2021 Court conference until on or after June 14, 2021.

Respectfully submitted,

/s

Richard D. Emery
Samuel Shapiro
Emma L. Freeman

c. All counsel of record, *via ECF*